REMARKS

Claims 10-11, 16-18, 20-23, 25-30, 34-41, 43-44, and 48-70 are pending in the case, claims 1-9, 12-15, 19, 24, 31-33, 42, and 45-47 having been canceled above and claims 48-70 having been added. The Office Action rejected each of claims 1-47 as anticipated under 35 U.S.C. § 102 (b) by U.S. Patent Publication No. 2002/0052954 ("Polizzi et al."). Applicants cure the objection and traverse the rejections.

I. NOTICE OF RELATED APPLICATIONS

Applicants direct the Examiner's attention to the following applications that disclose and/or claim overlapping subject matter with the present application:

- U.S. Application Serial No. 10/654,818, entitled "Method And Apparatus For Rapidly Prototyping Status Display", filed September 4, 2003, in the name of the inventors Lyle E. Devore, Jr., et al.;

- U.S. Application Serial No. 10/654,845, entitled "Method And Apparatus For Status Display", filed September 4, 2003, in the name of the inventors Lyle E. Devore, Jr., et al.; and

- U.S. Application Serial No. 10/653,313, entitled "Method and Apparatus for Generating Custom Status Display", filed September 4, 2003, in the name of the inventors Lyle E. Devore, Jr., et al.

Each of these applications is currently pending and is commonly assigned herewith.

II. INFORMALITIES

The Office accepted the drawings.

The Office has not challenged the claim to the earlier effective filing dates of provisional application serial No. 60/466,971, filed May 1, 2003, or U.S. Patent Application Ser. No. 10/654,845, filed Sep. 4, 2003. (The present application is a continuation-in-part of the latter application, and the present application claims the earlier effective filing date for all common subject matter.) Applicants therefore presume that the claim has been perfected unless otherwise notified.

III.   REMARKS REGARDING CLAIM AMENDMENTS

Many of the claim amendments made above are not made for purposes of patentability. For example, claims 1-9 have been canceled not because they were unpatentable, but to overcome a "same invention" type double patenting in one of the related cases. As another example, the claims 12-15 and 45-47 are being presented in other cases, as well. Furthermore, some amendments are not narrowing, and actually broaden the claims. Amendments to the claim language from "screen template" to "screen" and from "database" to "datasource", for instance, not only are not for purposes of patentability but also broaden the claims.

III.   ALL CLAIMS ARE NOVEL

The Office Action rejected each of claims 1-47 as anticipated under 35 U.S.C. § 102 (b) by U.S. Patent Publication No. 2002/0052954 ("Polizzi et al."). An anticipating reference, by definition, must disclose every limitation of the rejected claim in the same relationship to one another as set forth in the claim. M.P.E.P. § 2131; In re Bond, 15 U.S.P.Q.2d (BNA) 1566, 1567 (Fed. Cir. 1990). Applicant respectfully submits that Polizzi et al. fails to disclose all the limitations of the claim and, therefore, fails to anticipate any of the claims.

Each of the independent claims recites an "intermediate datasource", which Polizzi *et al.* fails to disclose. The Office cites ¶¶ [0005], [0041] as disclosing this limitation. Presumably, the Office cites these paragraphs for the disclosure of the "repository 235". However, the "repository 235" is not an "intermediate datasource" despite the superficial similarities on which the Office relies.

The "intermediate datasource" of the present invention is functionally between the users and the datasources referred to as "direct databases" or "native databases" in the present application (¶¶ [0099], [0100], [0105]-[0109]; Figure 10B (reproduced below). The "intermediate database"—*e.g.*, the intermediate database 1150 in the embodiment illustrated in Figure 10B—is populated from the direct databases:

> In this structure, information from direct databases 1140A, 1140B, and 1140C can be extracted and imported into intermediate database 1150. Alternatively, information from direct databases 1140A, 1140B, and 1140C can be linked or streamed into intermediate database 1150.

(¶ [0099]; see also ¶¶ [0103], [0105]) This arrangement has a number of distinct advantages pertaining to, for example, bandwidth, security, and data redundancy. (¶¶ [0100]-[0105])

FIG. 10B
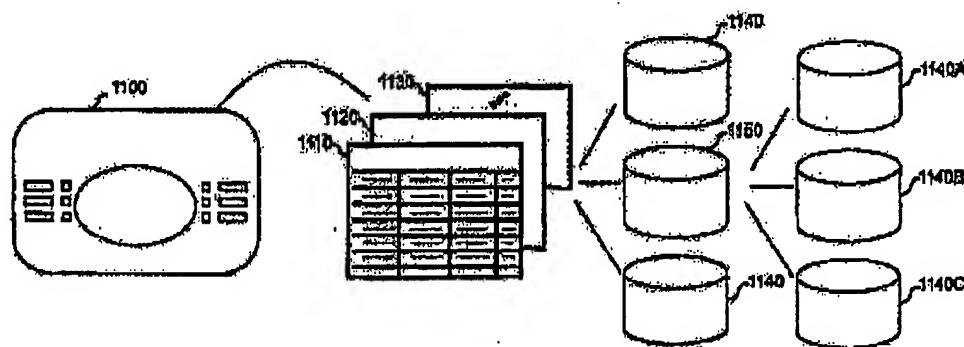
The "repository 235" of Polizzi *et al.* exhibits none of these characteristics and, unsurprisingly, provides none of these benefits. Polizzi *et al.* is unfortunately not as coherent in describing the population of the repository 235 as is the present application on the population of the intermediate database. However, there is no teaching or suggestion that the "repository 235" is populated from the "back-end databases" in Polizzi *et al.*, which is presumably what Polizzi *et al.* calls the elements the Office identifies as "direct databases" of the present case (*see* ¶¶ [0022], [0023]; Figure 1 (reproduced below), Figure 2).

Fig. 1

Fig. 1
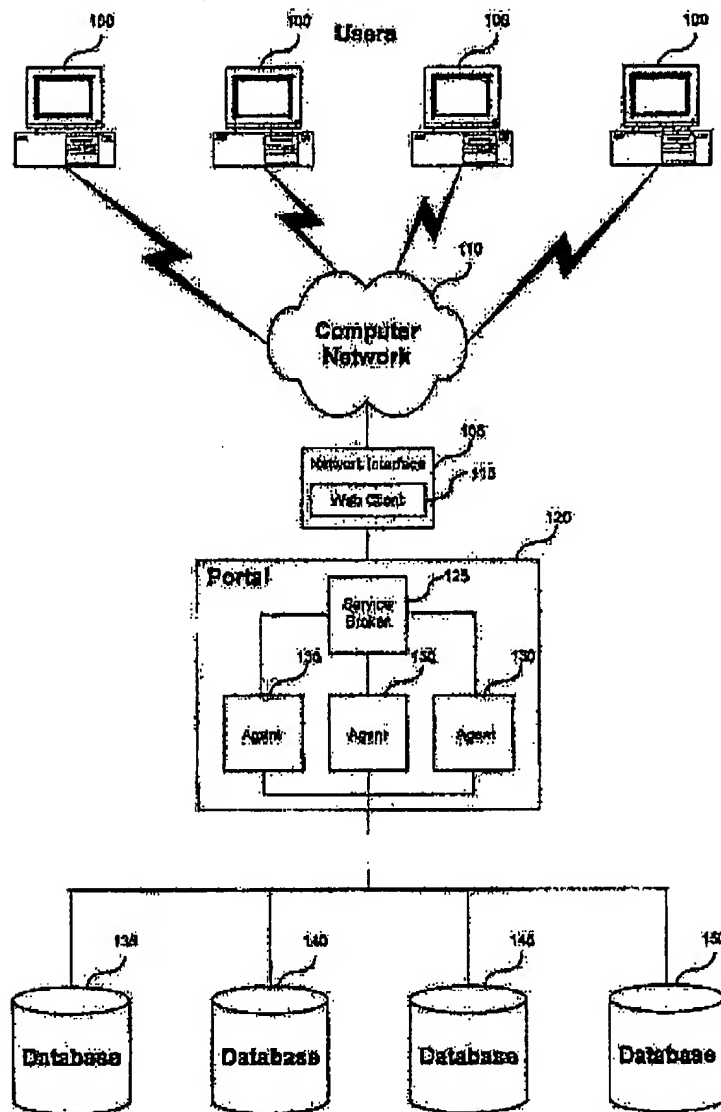
More particularly, it appears from Polizzi *et al.* that the "repository 235" is populated by

other elements of the portal 120. Polizzi *et al.* does broadly describe the function and content of

the "repository 235" as follows:

> The repository 235 is used as a storage device for all information
> that is to be stored in the portal system. All computer files that are
> stored in the repository 235 are called objects. These objects may
> include HTML files, job output reports, executable job files (SQL,

etc.), image files, etc. Objects that are stored in the repository 235 are arranged in a hierarchy called categories. Within each category, both objects and subcategories may be stored. Categories are thus organized in a tree system much like the file system on a standard computer. In addition, each object in the repository may include more than one version. Versioning can be used to accomplish a variety of objectives including setting multiple security levels for different versions of an object, and allowing a user to see a modification history of an object.

(¶ [0024]) The question remains, however, as to how the "repository 235" is populated.

Most of the discussion surrounding the population and use of the "repository 235" is about its role in the execution of "jobs". The "job server 230" retrieves "jobs" stored in the "repository 235", executes them, and then stores the output of those jobs back in the "repository 235":

> When a user 100 transmits a request to the portal system 120 to execute a particular job, the job is sent from the repository 235 to the job server 230 for execution. The job server executes the job and returns the resulting job output to the user 100. In addition, the job server 230 stores job output in the repository 235 as an object. ...By storing the output reports from job servers 230 as an object in the repository 235, multiple users 100 can utilize dynamic open links to these objects within their personalized portal pages.

(¶ [0041]) The "jobs" are "predefined" (Abstract, ¶ [0005]), but there is no mention of how they are loaded into the repository 235. Note, however, that when "jobs" require data on which to execute, the data is retrieved from the "back-end databases" rather than the "repository 235":

> A job may require a fresh set of data to be retrieved from a back-end database 200, 205, or 210. If this is the situation, then the job will be dispatched to a job server 230 that is connected to an appropriate back-end database. After the data is retrieved from a back-end database, it is processed by the job server 230 and an output report is prepared. ...The output report will then be transmitted to the service broker 125 so that it can be forwarded to the user who requested it. The output report will generally be displayed in the display window 1025 of the user's personalized portal page. A copy of the output report may also be stored in the repository 235.

(¶ [0094]) Note also that there is no teaching or suggestion that the retrieved data is then stored in the "repository 235".

Thus, however the "repository 235" may be populated and whatever it may be populated with, it is *not* populated with data from the "back-end databases". The "repository 235" is therefore *not* "intermediate" the users and the "back-end databases". Furthermore, the "portal 100" of Polizzi *et al.* has no other element to which data from the "back-end databases" may be exported. The information in the "back-end databases" is directly accessed by the "jobs" (¶ [0094]) and the "repository 235" is the element of the "portal 100" that stores information used by the "portal 100" (¶ [0024]).

Polizzi *et al.* therefore fails to teach an "intermediate datasource" as is recited in each of the independent claims. Each of the dependent claims incorporate this limitation as a matter of law. 35 U.S.C. §112, ¶4. Accordingly, Polizzi *et al.* fails to anticipate any claim. M.P.E.P. § 2131; *In re Bond*, 15 U.S.P.Q.2d (BNA) 1566, 1567 (Fed. Cir. 1990).
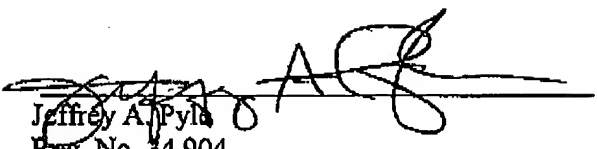

IV.   CONCLUDING REMARKS

Applicants therefore respectfully submit that the claims are in condition for allowance, and requests that they be allowed to issue. The Examiner is invited to contact the undersigned attorney at (713) 934-4053 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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